

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01004-APM**

AMERICAN CIVIL LIBERTIES UNION v. DEPARTMENT
OF HOMELAND SECURITY
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 05/25/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION**

represented by **Arthur B. Spitzer**
AMERICAN CIVIL LIBERTIES UNION
OF THE DISTRICT OF COLUMBIA
915 15th Street, NW
2nd Floor
Washington, DC 20005
(202) 601-4266
Fax: (202) 457-0805
Email: artspitzer@gmail.com
ATTORNEY TO BE NOTICED

Carl Takei
ACLU NATIONAL PRISON PROJECT
915 – 15th Street, NW
7th Floor
Washington, DC 20005
(202) 393-4930
Email: ctakei@aclu.org
ATTORNEY TO BE NOTICED

David L. Sobel
LAW OFFICE OF DAVID L. SOBEL
5335 Wisconsin Ave., NW
Suite 640
Washington, DC 20015
(202) 246-6180
Fax: (415) 436-9993
Email: sobel@att.net
ATTORNEY TO BE NOTICED

V.

Defendant

**DEPARTMENT OF HOMELAND
SECURITY**

represented by **Melanie Dyani Hendry**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2510
Fax: (202) 252-2599
Email: melanie.hendry2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/25/2017	<u>1</u>	COMPLAINT <i>for Injunctive and Declaratory Relief</i> against DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 400 receipt number 0090-4966019) filed by AMERICAN CIVIL LIBERTIES UNION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u>

		Summons DHS, # <u>3</u> Summons U.S. Attorney, # <u>4</u> Summons Attorney General, # <u>5</u> Rule 7.1 Certificate)(Sobel, David) (Entered: 05/25/2017)
05/26/2017		Case Assigned to Judge Amit P. Mehta. (sb) (Entered: 05/26/2017)
05/26/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN CIVIL LIBERTIES UNION (sb) (Entered: 05/26/2017)
05/26/2017	<u>3</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(sb) (Entered: 05/26/2017)
06/07/2017	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/1/2017. Answer due for ALL FEDERAL DEFENDANTS by 7/1/2017. (Attachments: # <u>1</u> Affidavit of Mailing and Service)(Sobel, David) (Entered: 06/07/2017)
06/16/2017	<u>5</u>	NOTICE of Appearance by Carl Takei on behalf of All Plaintiffs (Takei, Carl) (Entered: 06/16/2017)
07/03/2017	<u>6</u>	NOTICE of Appearance by Melanie Dyani Hendry on behalf of DEPARTMENT OF HOMELAND SECURITY (Hendry, Melanie) (Entered: 07/03/2017)
07/03/2017	<u>7</u>	ANSWER to Complaint by DEPARTMENT OF HOMELAND SECURITY.(Hendry, Melanie) (Entered: 07/03/2017)
07/05/2017	<u>8</u>	ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before July 19, 2017. See attached Order for additional details. Signed by Judge Amit P. Mehta on 07/05/2017. (lcapm3) (Entered: 07/05/2017)
07/05/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/19/2017. (cdw) (Entered: 07/07/2017)
07/18/2017	<u>9</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 07/18/2017)
07/20/2017	<u>10</u>	VACATED PURSUANT TO COURT'S ORDER OF 9/19/2017.....ORDER setting the following schedule for further proceedings in this matter: Defendant's Motion for Summary Judgment shall be filed on or before September 22, 2017; Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment shall be filed on or before October 23, 2017; Defendant's Reply and Opposition to Plaintiff's Motion for Summary Judgment shall be filed on or before November 20, 2017; and Plaintiff's Reply shall be filed on or before December 11, 2017. See attached Order for additional details. Signed by Judge Amit P. Mehta on 07/20/2017. (lcapm3) Modified on 9/19/2017 (zcdw). (Entered: 07/20/2017)
07/20/2017		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 9/22/2017. Response to Motion for Summary Judgment due by 10/23/2017. Reply to Motion for Summary Judgment due by 11/20/2017. Plaintiff's Cross Motion due by 10/23/2017. Response to Cross Motions due by 11/20/2017. Reply to Cross Motions due by 12/11/2017. (zcdw) (Entered: 07/24/2017)
07/24/2017	<u>11</u>	NOTICE of Appearance by Arthur B. Spitzer on behalf of AMERICAN CIVIL LIBERTIES UNION (Spitzer, Arthur) (Entered: 07/24/2017)
09/19/2017	<u>12</u>	Consent MOTION to Vacate <u>10</u> Order., <i>Summary Judgment Briefing Schedule</i> by DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Hendry, Melanie) (Entered: 09/19/2017)
09/19/2017		MINUTE ORDER granting <u>12</u> Defendant's Consent Motion to Vacate Summary Judgment Briefing Schedule. The court's order setting the briefing schedule <u>10</u> is hereby vacated. The parties are directed to file a Joint Status Report on or before January 31, 2018, which updates the court as to the status of processing and production of responsive records and proposes a new summary judgment briefing schedule. Signed by Judge Amit P. Mehta on 09/19/2017. (lcapm3) (Entered: 09/19/2017)
09/19/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/31/2018. (zcdw) (Entered: 09/19/2017)

01/31/2018	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 01/31/2018)
01/31/2018		MINUTE ORDER. In light of <u>13</u> the parties' Joint Status Report, the parties shall submit a subsequent Joint Status Report on or before February 28, 2018, which updates the court as to how the parties propose to proceed in this matter. Signed by Judge Amit P. Mehta on 01/31/2018. (lcapm3) (Entered: 01/31/2018)
01/31/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/28/2018. (zcdw) (Entered: 02/04/2018)
02/27/2018	<u>14</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 02/27/2018)
02/28/2018		MINUTE ORDER. The parties shall submit a subsequent Joint Status Report on or before March 28, 2018, which updates the court as to how the parties propose to proceed in this matter. Signed by Judge Amit P. Mehta on 02/28/2018. (lcapm3) (Entered: 02/28/2018)
02/28/2018		Set/Reset Deadlines: Joint Status Report due by 3/28/2018. (mac) (Entered: 02/28/2018)
03/23/2018	<u>15</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 03/23/2018)
03/26/2018		MINUTE ORDER. The parties shall submit a subsequent Joint Status Report on or before April 27, 2018, which updates the court as to how the parties propose to proceed in this matter. Signed by Judge Amit P. Mehta on 03/26/2018. (lcapm3) (Entered: 03/26/2018)
03/26/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/27/2018. (zcdw) (Entered: 03/27/2018)
04/27/2018	<u>16</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 04/27/2018)
05/01/2018		MINUTE ORDER. The parties shall submit a subsequent Joint Status Report on or before June 15, 2018, which updates the court as to how the parties propose to proceed in this matter. Signed by Judge Amit P. Mehta on 05/01/2018. (lcapm3) (Entered: 05/01/2018)
05/01/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/15/2018. (zcdw) (Entered: 05/02/2018)
06/14/2018	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 06/14/2018)
06/15/2018		MINUTE ORDER. The parties shall submit a subsequent Joint Status Report on or before July 13, 2018, which updates the court as to how the parties propose to proceed in this matter. Signed by Judge Amit P. Mehta on 06/15/2018. (lcapm3) (Entered: 06/15/2018)
06/15/2018		Set/Reset Deadlines: The parties shall submit a subsequent Joint Status Report on or before July 13, 2018. (ldc) (Entered: 06/15/2018)
07/13/2018	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 07/13/2018)
07/16/2018		MINUTE ORDER. The parties shall submit a subsequent Joint Status Report on or before August 15, 2018, which updates the court as to how the parties propose to proceed in this matter. Signed by Judge Amit P. Mehta on 07/16/2018. (lcapm3) (Entered: 07/16/2018)
07/16/2018		Set/Reset Deadlines: Joint Status Report due by 8/15/2018. (zjd) (Entered: 07/16/2018)
08/15/2018	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 08/15/2018)
08/17/2018		MINUTE ORDER. The parties shall submit a subsequent Joint Status Report on or before November 17, 2018, which updates the court as to how the parties propose to

		proceed in this matter. Signed by Judge Amit P. Mehta on 08/17/2018. (lcapm3) (Entered: 08/17/2018)
08/17/2018		Set/Reset Deadlines: Joint Status Report due by 11/17/2018. (zjd) (Entered: 08/20/2018)
11/16/2018	<u>20</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 11/16/2018)
11/19/2018		MINUTE ORDER. Upon consideration of the parties' <u>20</u> November 16, 2018, Joint Status Report, the parties are directed to file another Joint Status Report, on or before February 15, 2019, that updates the court on their progress. Signed by Judge Amit P. Mehta on 11/19/2018. (lcapm3) (Entered: 11/19/2018)
11/19/2018		Set/Reset Deadlines: Joint Status Report due by 2/15/2019. (zjd) (Entered: 11/21/2018)
02/15/2019	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 02/15/2019)
02/19/2019		MINUTE ORDER. Upon consideration of the parties' <u>21</u> Joint Status Report, the parties are directed to file another Joint Status Report, on or before March 22, 2019, that updates the court on their progress. Signed by Judge Amit P. Mehta on 02/19/2019. (lcapm3) (Entered: 02/19/2019)
02/19/2019		Set/Reset Deadlines: Joint Status Report due by 3/22/2019. (zjd) (Entered: 02/21/2019)
03/21/2019	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 03/21/2019)
03/22/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report by May 1, 2019, which updates the court on their efforts to narrow the scope of Plaintiff's request and Defendant's processing of records. Signed by Judge Amit P. Mehta on 3/22/2019. (lcapm2) (Entered: 03/22/2019)
03/22/2019		Set/Reset Deadlines: Joint Status Report due by 5/1/2019. (zjd) (Entered: 03/25/2019)
05/01/2019	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Hendry, Melanie) (Entered: 05/01/2019)
05/01/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report by June 28, 2019. Signed by Judge Amit P. Mehta on 05/01/2019. (lcapm3) (Entered: 05/01/2019)